

BOARD OF PAROLE HEARINGS
En Banc Decisions
Wednesday, January 18, 2017

MCCURDY, KENNETH
Sentencing Court:
Kern

C-76230

Penal Code section 1170(e)

Motion: Recommend to the court that Mr. McCurdy's sentence be recalled and that Mr. McCurdy be resentenced, based on a finding that he is terminally ill with an incurable disease that would produce death within six months and the conditions under which Mr. McCurdy would be released would not pose a threat to public safety.

Motion by: **Montes**
Second by: **Peck**
Not Present:
Abstained:

Decision: Motion approved by a majority of the commissioners present.

MARCIEL, EDWARD
Sentencing Court:
Riverside

H-00013

Referred by Chief Counsel

Motion: Refer the September 28, 2016 decision to grant parole for a rescission hearing to consider whether new confidential information regarding Mr. Marciel's alleged involvement in a security threat group demonstrates that Mr. Marciel poses an unreasonable risk of danger to the public. The board shall make reasonable efforts to schedule the same commissioner and deputy commissioner who served on the September 28, 2016 panel to serve on the rescission panel.

Motion by: **Roberts**
Second by: **Garner**
Not Present:
Abstained:

Decision: Motion approved by a majority of the commissioners present.

DAVIS, MICHAEL
Sentencing Court:
San Diego

H-08904

**Governor-Referred pursuant to
Penal Code section 3041.1**

Motion: Refer for a rescission hearing to consider whether the October 14, 2016 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated December 23, 2016, including the inmate's January 3, 2012 rules violation report for possession of a cell phone.

Motion by: **Peck**
Second by: **Labahn**
Not Present: **Grounds**
Abstained:

Decision: Motion approved by a majority of the commissioners present.

WILLIAMS, VOLTAIRE
Sentencing Court:
Los Angeles

E-17796

**Governor-Referred pursuant to
Penal Code section 3041.1**

Motion: Refer for a rescission hearing to consider whether the October 7, 2016 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated December 16, 2016.

Motion by: **Peck**
Second by: **Anderson**
Not Present: **Turner**
Abstained: **Cassady**

Decision: Motion approved by a majority of the commissioners present.